

REPORT TO THE PLANNING REFERRALS COMMITTEE

Date of Meeting: 20 June 2019

APPLICATION NO: 18/2410/FUL

DATE OF APPLICATION: 31 December 2018

STATUTORY START DATE: 30 January 2019

SITE LOCATION

Caldecote Farm, Caldecote Lane, Bushey, Hertfordshire, WD23 4EF

DEVELOPMENT

Erection of new equestrian centre comprising livery stables, indoor arena, club room, lecture and training room, ancillary storage and overnight veterinary accommodation; with external horse walkers, external show jumping and dressage training area; access; parking; landscaping and drainage.

AGENT

Mr Matthew Blythin
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone, ME14 3EN

APPLICANT

Mr Edward Brook
C/O Agent

WARD: Bushey Heath

GREEN BELT: Yes

CONSERVATION AREA: No

LISTED BUILDING: No

TREE PRESERVATION ORDER: No

1.0 SUMMARY OF RECOMMENDATION

1.1 The recommendation of officers remains that planning permission be refused for the reasons that are set out at the end of this report (note that four reasons are listed, as officers are now satisfied on a fifth issue that had been listed as a reason for refusal in the report to the Planning Committee).

1.2 However please note that the recommendation of the Planning Committee was that the Referrals Committee consider granting planning permission (subject to the Secretary of State having been consulted and given the opportunity to call the case in). Please see the appendix to this report for a list of conditions that are suggested by officers in the event that the Referrals Committee were minded to approve the application.

2.0 PREVIOUS CONSIDERATION BY THE PLANNING COMMITTEE

2.1 This application for planning permission was considered by the Planning Committee at their meeting of 11th April 2019. The recommendation of the planning

officers was that the application be refused for five reasons (note that one of those issues – namely parking - has since been satisfactorily addressed and that the recommendation is now that permission be refused for only four reasons).

2.2 Notwithstanding the officers' recommendation to refuse permission, members of the Planning Committee decided by 5 votes to 3 (with 2 abstentions) that they were minded to approve the application. Councillor S. Quilty proposed (seconded by Councillor A. Spencer) that the application should be granted on the basis that any harm caused by the development (to the Green Belt or to other relevant interests) could be considered to be clearly outweighed by the following benefits, which he opined would constitute "*very special circumstances*":

- The potential for the creation of jobs
- Outdoor sports facilities to be provided that are not readily available in the local area
- The diversification of the local economy in Bushey by establishing a hub and centre of excellence for equestrian sport science
- Provision of facilities to allow disabled people to train and ride horses
- The facilities would benefit local, regional and national equestrian users

2.3 The proposal was that such permission would need to be granted by the Planning Referrals Committee, where appropriate planning conditions could be applied.

3.0 REASONS FOR CONSIDERATION BY THE REFERRALS COMMITTEE

3.1 The Council's constitution (section 3.1) stipulates that in cases where a planning application is contrary to the Development Plan, and where the recommendation of planning officers is refusal but where the members of the Planning Committee are never the less minded to grant approval, the case must be referred to the Planning Referrals Committee for further consideration before the Council issues its decision.

3.2 The "Development Plan" includes the adopted Hertsmere Local Plan (and also plans by Hertfordshire County Council relating to minerals and waste). The proposal is contrary to the Hertsmere Local Plan (and therefore contrary to the Development Plan) because it proposes a major development on previously undeveloped land in the Green Belt, contrary to Policy CS13 (The Green Belt) of the Hertsmere Local Plan: Core Strategy (adopted January 2013) and contrary also to Policy SADM26 (Development Standards in the Green Belt) of the Hertsmere Local Plan: Site Allocations and Development Management Policies Plan (adopted November 2016). As the officers' recommendation was refusal but the majority view of the Planning Committee was that permission should never the less be granted, it is now necessary for the case to be further considered by the Planning Referrals Committee.

4.0 REQUIREMENT TO CONSULT THE SECRETARY OF STATE

4.1 If the Planning Referrals Committee were minded to refuse planning permission (as per the officers' recommendation) then the Council would be able to issue a decision notice immediately; but if they were minded to grant permission (as the

Planning Committee were minded to do) it would then be necessary to consult the Secretary of State before an approval could be issued.

4.2 This is a requirement of Circular & Direction 02/2009 of the Department of Communities and Local Government, pursuant to Articles 10(3) and 14(1) of the Town and Country Planning (General Development Procedure) Order 1995. That direction requires that any Green Belt development involving the provision of buildings where the floor space would be 1000m² or more (in this case it would be 3262m²) should not be approved unless the Secretary of State has been consulted, and a period of at least 21 days should have elapsed from the acknowledged receipt by the Secretary Of State before the Local Authority may issue an approval, unless the SOS has written to indicate that they do not intend to issue a direction under section 77 of the Town and County Planning Act 1990 to call the case in.

5.0 NEEDS ASSESSMENT

5.1 The Needs Assessment document that accompanied the application argues that there is a need for a new equestrian centre because there are no longer any existing facilities in the area. Page 24 of the Needs Assessment features a map (figure 5) showing those equestrian centres with livery facilities that it says closed in recent years, and this list includes the South Medburn Farm Equestrian Centre, which is located on the Watling Street, near Elstree, 4.6km from the application site. Figure 5 includes a note as follows:

“NB. South Medburn was shutting, but as at Dec 2018 it is still operational.”

5.2 It may be that the consultants mistakenly believed that the centre was due to shut because planning applications had been submitted some years earlier to redevelop it for housing; but application 15/1268/FUL was refused in 2016 and a subsequent appeal against that refusal was dismissed, and application 17/1778/FUL was withdrawn.

5.3 Having received information that it was open for business, the Planning Officer visited the South Medburn Equestrian Centre on 5th April 2019 (i.e. a few days before the meeting of the Planning Committee), met the owner and toured the facilities. He saw several members of staff at work, a job interview was underway to recruit a new member of staff, customers were seen enjoying a riding lesson, and numerous horses were seen. The owner mentioned that her adult daughter assists her in managing the business. It was clear that the South Medburn Equestrian Centre was open for business, that it was well staffed and well maintained. Its facilities included 2 indoor arenas, 2 outdoor dressage areas, numerous livery stables, a staff room, and 42 hectares (105 acres) of land including pasture and areas with practice jumps. Photographs and details of the facilities can be seen on the centre's website: www.southmedburn.co.uk

5.4 A planning application should be assessed on the basis of the existing situation – which is that the South Medburn Equestrian Centre is open for business, apparently has no plans to close, has an active website, is well equipped (for instance it has two indoor arenas and two outdoor arenas whereas the proposal at

Caldecote is to provide one of each) and it is located only 8 minutes' drive from the application site.

5.5 The Planning Officer has now looked more closely into the claim that is made in the Needs Assessment that there are no equestrian centres within a 35 minute driving distance of the site (the Needs Assessment states in paragraphs 23-26 that Needs Assessments done by consultants for previous applications had applied catchment areas that were too large, and that 35 minutes was regarded as reasonable for a training venue given that participants might be bringing their own horses in trailers and that longer distances are stressful for horses). Even supposing that the Council were to accept that the catchment area should not exceed a 35 minute drive (which would suggest that only *local* and not *regional* or *national* benefits would arise to justify the harm to the Green Belt) a search on the website of the British Horse Society shows that (in addition to South Medburn) there are at least another four equestrian centres within a 35 minute drive of the site (driving times are from the Google Maps website, based on postcodes):

South Medburn Equestrian Centre, WD6 3AA

www.southmedburn.co.uk

4.6km, 8 minutes' drive from the application site

Facilities include 2 indoor arenas, 2 outdoor arenas, livery stables, and 42 hectares of land including areas with practice jumps

Littlebourne Equestrian Centre, Harefield, UB9 6PU

www.littlebournefarm.co.uk

13.9km, 25 minutes' drive from the application site

Facilities include 2 outdoor arenas and an indoor arena

Kings Langley Riding School, WD4 9JE

16.7km, 30 minutes' drive from the application site

Facilities include an outdoor arena, client facilities, a livery yard and a riding school

London Equestrian Centre, N12 7BP

11km, 28 minutes' drive

www.londonridingschool.com

Facilities include an outdoor arena, client facilities, a livery yard and a riding school

Oaklands College Equestrian Centre, St Albans, AL4 0JA

20.3km, 34 minutes' drive

www.oaklands.ac.uk/open-to-the-community/equestrian-centre

Facilities include stabling for 31 horses, a solarium and horse walker, indoor and outdoor arenas, extensive paddocks, grazing areas and a four mile hacking track.

6.0 AMENDED BUSINESS PLAN

6.1 Apparently the applicant's consultants have produced an amended version of their Business Plan, correcting some mistakes that had been pointed out in a letter of objection from Bridge and Company on behalf of Rosary Priory (who own

neighbouring land). The applicants have not submitted the amended version of the Business Plan to the Council (although they have offered to supply it on request) but they referred to it in a letter dated 7th June 2019 as follows:

“Comments on some elements in the business plan of user number calculations and income calculations have been addressed in a slightly reworked business plan. The financial implications are negligible (income of £511,000 compared to £518,000). The user numbers have reduced, and the corrections mean that summer period now totals 1,408 users; the winter period 1,360 users and so there is an annual total of 2,768 users. These can only be broad number estimates. The errors were within the Pony Clubs/Riding Clubs section. Bridge’s comment on the cross-country usage numbers were incorrect, but understandable as the text was a bit unclear – the 2 hours refers to 2 x 1 hr sessions. The text has been amended.”

It is worth noting that the version of the Business Plan (dated December 2018) that was submitted with the application stated that the expected level of usage was approximately 4,250 users per year. The letter that has now been received from the agent states that the revised Business Plan (which has not actually been submitted to the Council) now estimates that the usage would be only 2,768 users per year. That is a substantial reduction of 35%, which leads one to conclude that the public benefits of the development would be considerably less than had previously been envisaged when the Planning Committee considered the application in April.

7.0 AMENDED FLOOR PLANS

7.1 Apparently the applicant’s consultants have produced an amended version of their proposed floorplans, correcting some mistakes that they had noticed. The applicants have not submitted the amended floorplans to the Council (although they have offered to supply it on request) but they referred to it in a letter dated 7th June 2019 as follows:

“Since the original Committee, the applicant team have undertaken a further review of the plans. From this, it has become apparent that labelling used on the submitted drawings has not fully reflected the intended use of some of the rooms, as supported by the Business Plan. Therefore to avoid any confusion, we can confirm that the accommodation labelled as ‘veterinary overnight accommodation’ is in fact intended to provide for on-site staff accommodation to enable a 24/7 presence as and when needed and this can be conditioned such that it is only occupied by employees. Additionally, the room labelled as ‘lecture, staff training and client entertainment’ is only intended for education and training use. Correctly labelled and amended plans can be provided in advance of the Referrals Committee as needed.”

8.0 SETTING OF THE GRADE II LISTED BUILDING

8.1 At the Technical Briefing two days prior to the Committee Meeting a councillor asked what the distance is between the application site and the Grade II listed building Immanuel College (Caldecote Towers). The distance is approximately 300 metres. This information was not included in the report, but it was included in the Update Sheet for the Committee Meeting.

8.2 In a letter dated 7th June 2019 the applicant's agent has agreed with the planning officer's report to the Planning Committee that paragraph 193 of the National Planning Policy Framework (2019) states that "*great weight*" should be given to the preservation (which includes the setting) of a designated heritage asset such as a Grade II nationally Listed Building – even when (as in this case) the harm would be "less than substantial"; but he has asked that it should be made clear to members of the Planning Referrals Committee that paragraph 196 of the NPPF goes on to say that any such harm should be weighed against the public benefits of the proposal.

9.0 SPORT ENGLAND: FURTHER CORRESPONDENCE RECEIVED

9.1 Another item that was included on the Update Sheet for the Planning Committee was the fact that on 10.04.2019 an e-mail was received by the Council from Sport England, who had apparently been contacted by the applicant's agent, who had sent them a copy of the Committee Report. Having seen the report they were writing to clarify why the comments that they had sent previously in response to the consultation had not offered any opinion on the proposed development.

9.2 Sport England explained that the reason why they had commented on the application to demolish the Patchetts Equestrian Centre in 2016, but not on other similar applications such as this one, was that since a change was made in 2016 in the Government's strategy for sport, their structure, resources and priorities had changed; and that now their procedure in the case of non-statutory planning application consultations for specialist sports facilities is not to comment themselves but rather to refer the Local Planning Authority to comments from the relevant governing bodies for those sports – which in this case is the British Equestrian Federation (BEF).

9.3 Sport England reminded the Council that the BEF are the recognised national governing body for equestrian sports, that they are part funded by Sport England, that they are the umbrella body for other bodies including British Showjumping, British Eventing, British Dressage, the Pony Club and the British Horse Society, and that their comments should therefore be given appropriate weight in any decision making. Their views should not be regarded as subjective because it would not be in their interests to have new facilities provided that do not meet a need as that would result in an oversupply of such facilities.

9.4 The following comments are made in the concluding paragraph of Sport England's e-mail:

"I wish to make it clear that the above observations do not change our position on the planning application i.e. we are neither supporting, nor objecting to, the application as we have not considered the application for the reasons explained above, so we are unable to make informed comments on the merits of the application."

10.0 SURFACE WATER DRAINAGE: ADDITIONAL DOCUMENT RECEIVED

10.1 The documents that had been submitted when the report was written for the Planning Committee are listed in that report. On the morning of the Planning Committee's meeting (11th April 2019) the applicant's agent forwarded to the Council a three page letter (dated 10.04.2019) from their drainage consultants SLR (their ref 416.09118.00001). This was a response to Reason For Refusal 4 at the end of the case officer's committee report. That reason for refusal related to an objection that had been raised by Hertfordshire County Council in their role as the Lead Local Flood Authority who considered that the submitted surface water drainage scheme had not demonstrated that proposed sustainable drainage (SuDS) measures would be adequate to prevent flooding.

10.2 The new letter from SLR opines that this matter could be dealt with by means of a pre-commencement condition requiring the submission of further details. This would only be possible if the application were considered acceptable in other respects, or if all other problems could similarly be dealt with by conditions. Please see the appendix to this report which includes a list of conditions that could be applied in the event that the Referrals Committee were minded to approve the application (subject to the Secretary of State being given the opportunity to call the case in).

10.3 It should be noted that there are outstanding objections to this application still in place from Hertfordshire County Council (who are the Lead Local Flood Authority) and from Highways England (whose concern is possible flooding of the motorway), both of whom have written that they are not satisfied that the proposed surface water drainage measures would be adequate.

11.0 SEWERAGE: ADDITIONAL DOCUMENT RECEIVED

11.1 It was noted in the report to the Planning Committee that the proposal did not include any facilities for the disposal of sewage. The report argued that this is a material issue that should be assessed at this stage (rather than being assessed subsequently by means of a condition) because the site is distant from the nearest public sewer and it is on lower ground, which makes it likely that the facilities that would be needed (whether for treating sewage on the site, or for storing it for collection on the site, or for pumping it up the hill to connect to a public sewer) would involve physical infrastructure that could constitute further inappropriate development on this open Green Belt location.

11.2 Reason For Refusal 3 was as follows:

The proposal does not include any facilities for the disposal of sewage. This is a material issue that should be addressed at this stage because the site's location and topography make it likely that obtrusive infrastructure would be necessary to pump or otherwise store or dispose of sewage, which could constitute inappropriate development on this open Green Belt site. As such the proposal is contrary to Policy SADM17 (Water Supply and Waste Water) of the Hertsmere Local Plan: Site Allocations and Development Management Policies Plan (adopted November 2016).

11.3 On 7th June 2019 the applicants' agent submitted a three page letter from their consultants SLR, seeking to address this issue. The letter states that there are three ways in which sewage could be dealt with: firstly by installing a dedicated sewer to connect to the existing sewerage system at a point to be agreed with Thames Water, or secondly by installing an underground septic tank to discharge into a drainage field or mound and to be de-sludged twice a year, or thirdly by installing a package wastewater treatment plant below ground, which would discharge to a local watercourse and which should be de-sludged three times per year. The letter argues that all three of these options would be buried in the ground and thus their visual impact would be negligible, and that the second and third options would give rise only to low levels of noise or odours if they were properly managed.

12.0 PARKING: ADDITIONAL DOCUMENT RECEIVED

12.1 The report that was presented to the Planning Committee on 11th April 2019 included Reason For Refusal 5, which was as follows:

The submission fails satisfactorily to demonstrate that the development would include sufficient parking space within the site to accommodate its own needs, and that it would not be likely to result in overspill parking on local roads. As such, it is considered that the proposal does not comply with Policy SADM40 (Highway and Access Criteria for New Development) of the Hertsmere Local Plan: Site Allocations and Development Management Policies Plan (adopted November 2016).

12.2 The reason for refusal did not say that the number of parking spaces would be insufficient, but rather that the application had failed to demonstrate that it would be adequate. The methodology that had been used to justify that quantum of parking had been based on an estimate in the submitted Business Plan for how many users were anticipated, which could not be objectively verified. Subsequently, on 14th May 2019, a Supplementary Highways Technical Note (Revision A) was submitted by the applicant's agent in which an objective justification was presented, based on comparison with similar equestrian centres elsewhere and their parking provision and number of users, which is now considered acceptable by planning officers. Reason for Refusal 5 is therefore deleted from this report to the Planning Referrals Committee.

13.0 ASSESSMENT OF PURPORTED "VERY SPECIAL CIRCUMSTANCES"

13.1 The National Planning Policy Framework states that development which would be on open, previously undeveloped land in the Green Belt and which would harm the open character or the visual amenity of the Green Belt should be refused unless *Very Special Circumstances* apply. That is a demanding requirement – only a facility that would be of major public benefit on a national or regional level would be likely to be considered a *Very Special Circumstance*.

13.2 At the meeting of the Planning Committee on 11th April 2019 the motion to approve that was proposed by Councillor S. Quilty (seconded by Councillor A. Spencer) was that the application should be granted on the basis that any harm caused by the development (to the Green Belt or to other relevant interests) could be

considered to be clearly outweighed by the following benefits, which he opined would constitute “*Very Special Circumstances*”:

- The potential for the creation of jobs
- Outdoor sports facilities to be provided that are not readily available in the local area.
- The diversification of the local economy in Bushey by establishing a hub and centre of excellence for equestrian sport science.
- Provision of facilities to allow disabled people to train and ride horses.
- The facilities would benefit local, regional and national equestrian users.

13.3 Considering each of those purported benefits in turn, officers would provide some additional facts and commentary below:

- The application form states that there would be 11 full time employees. The creation of only 11 jobs, while it might be a modest benefit to the local economy, can hardly be considered a *Very Special Circumstance* that would outweigh the harm that this large development would cause to the open Green Belt land that it would occupy.
- The proposal would provide sports facilities, but it is debateable whether those could be regarded as *outdoor* sports facilities, since the main feature of the proposal is for a large building to contain an *indoor* arena – albeit an outdoor dressage area is also proposed. There is a parallel application for planning permission for an outdoor training area on the other side of Hillfield Lane South, but that is the subject of a separate application that is being considered by Hertfordshire County Council, who have not yet made their decision.
- It is not true that there are no other such facilities in the local area – there are at least five equestrian centres within a 35 minute drive of the site, four of which are recognised by the British Horse Society and listed on their website.
- The claim in the motion to approve that the development would diversify the local economy by establishing a centre of excellence for equestrian sport science would seem to suggest that the proposal is for a scientific laboratory or research centre, but this is not the case. The floorplan includes a small flat for over-night accommodation for someone to care for the horses that are stabled there; but there is no proposal for any scientific research facilities. There is nothing in the application documentation to indicate that the centre would have a status or facilities which would significantly exceed those offered by other equestrian centres; nor is there any evidence that the facility would have any particular links with universities or colleges which might further equine science.

- The motion to approve argues that the proposal would enable disabled people to ride horses. The plans include a proposal for a scissor lift to enable disabled riders to mount horses; but this is an item of equipment that an existing equestrian centre could install. While it would be a welcome inclusion, it is not considered that this could justify allowing the erection of a large building on open land in a Green Belt location.
- If the Council were to accept the driving time catchment of 35 minutes that the applicant's consultants have based their Needs Assessment on, that would mean that the equestrian centre was intended mainly for the use of *local* people – in which case it would be difficult to see how the development could be regarded as of *regional* or *national* importance. If the equestrian centre would mainly benefit only local people, it is difficult to see how it could be regarded as a *Very Special Circumstance*.
- The letter from the applicant's agent of 7th June 2019 tells us that they have revised their Business Plan to reduce by over a third the figure for the anticipated annual number of users (from 4,250 to 2,768), which suggests that the public benefits of the development would be significantly less than had been envisaged when the application was considered by the Planning Committee on 11th April 2019.

14.0 ADDITIONAL REPRESENTATIONS RECEIVED

14.1 The report to the Planning Committee set out the number of representations that had been received, and noted that 122 of the 151 letters of support that had been received were from people who lived outside the borough.

14.2 Since this application was considered by the Planning Committee, 23 more letters in support of the application have been received – that total now stands at 174, whereas the numbers of objections and neutral comments are unchanged at 29 and 4 respectively.

15.0 CONCLUSION

15.1 The circumstances in this case are not considered to be so "*very special*" as would justify the harm to the open character and visual amenity of the Green Belt that the development would give rise to, nor would they justify the harm to the setting of the Listed Building nearby at Caldecote Towers (Immanuel College), and the recommendation of this report is therefore that the application be refused.

15.2 Please note that only four reasons for refusal are listed below. The report to the Planning Committee on 11th April 2019 included a fifth reason, which related to a failure of the application to demonstrate that the proposed parking provision would be adequate; but in the light of a further document that has since been submitted to the Council - which does now present an objectively assessed justification for the proposed level of parking on the site - planning officers are now satisfied on that point, and therefore Reason for Refusal 5 (parking) is deleted.

15.3 It might be possible to address Reasons 3 (sewerage) and 4 (surface water) by attaching pre-commencement conditions to a planning permission (although the Council should be wary of doing so, given that we have outstanding objections from consultees on the issue of surface water); but because it is not possible to attach conditions to a refusal, this approach would only be possible in the event that there were no other reasons for refusal that could similarly be addressed by conditions. As officers consider that Reasons 1 (inappropriate development in the Green Belt) and 2 (harm to the setting of a Listed Building) are fundamental problems that could not be overcome through the imposition of conditions, it is the recommendation of this report that planning permission be refused for the four reasons that are listed below.

16.0 RECOMMENDATION

Refuse permission for the following reasons:

17.0 REASONS FOR REFUSAL

Reason 1: Inappropriate development in the Green Belt

The proposal would constitute inappropriate development on open land in the Green Belt because it would be harmful to the visual amenity of the Green Belt and because it would not maintain the open character of the Green Belt. As such it is contrary to Policy CS13 (The Green Belt) of the Hertsmere Local Plan: Core Strategy (adopted January 2013) and contrary also to Policy SADM26 (Development Standards in the Green Belt) of the Hertsmere Local Plan: Site Allocations and Development Management Policies Plan (adopted November 2016). The proposal cannot be regarded as one of the exceptions that are listed in paragraph 145 of the National Planning Policy Framework (February 2019). The circumstances in this case do not amount to such "Very Special Circumstances" as would outweigh the harm that would be caused to the open character of the Green Belt, or to the visual amenity of the Green Belt, or to the setting of the nationally listed building (Grade II) nearby at Caldecote Towers (Immanuel College).

Reason 2: Harm to the setting of a Listed Building

The proposal would harm the setting of a nationally Listed Building (Grade II) which is located nearby at Caldecote Towers (Immanuel College). The harm caused, while it would be "less than substantial" is never the less considered unacceptable, pursuant to paragraph 193 of the National Planning Policy Framework (February 2019) which states that "great weight" should be given to the preservation (which includes the setting) of such a designated heritage asset, even when the harm would be less than substantial. The proposal is contrary to Policy SADM29 (Heritage Assets) of the Hertsmere Local Plan: Site Allocations and Development Management Policies Plan (adopted November 2016).

Reason 3: No sewerage infrastructure included

The proposal does not include any facilities for the disposal of sewage. This is a material issue that should be addressed at this stage because the site's location and topography make it likely that obtrusive infrastructure would be necessary to pump or otherwise store or dispose of sewage, which could constitute inappropriate

development on this open Green Belt site. As such the proposal is contrary to Policy SADM17 (Water Supply and Waste Water) of the Hertsmere Local Plan: Site Allocations and Development Management Policies Plan (adopted November 2016).

Reason 4: Surface water drainage

Hertfordshire County Council, in their role as the Lead Local Flood Authority, have objected to this application on the grounds that it fails to demonstrate that it would make adequate provision for the sustainable disposal of surface water within the site. As the M1 motorway lies close to the site on lower ground, this is cause for particular concern. The proposal is therefore contrary to Policy SADM14 (Flood Risk) or Policy SADM15 (Sustainable Drainage Systems) of the Hertsmere Local Plan: Site Allocations and Development Management Policies Plan (adopted November 2016).

18.0 INFORMATIVES

1. The planning officer's report to the Planning Committee of 11th April 2019 and to the Planning Referrals Committee of 20th June 2019 are both available to view on the Council's website. These reports set out how the application has been considered.
2. The Council generally take a positive and proactive approach to the determination of planning applications; but in this case, for the reasons that are set out above, it has been necessary to refuse planning permission. Detailed pre-application advice (ref. 17/0785/PA1) was provided in writing by a Principal Planning Officer on 24.07.2017 (i.e. five months prior to the submission of this application) stating that the proposal was unlikely to be considered acceptable. In providing that pre-application advice the Council has acted positively and pro-actively in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

19.0 CASE OFFICER

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